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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,469	01/22/2004	Colby J. House	110348-133033	6667
31817	7590 10/17/2005		EXAMINER	
SCHWABE, WILLIAMSON & WYATT			SHAKERI, HADI	
PACWEST CENTER, SUITES 1600-1900 1211 S.W. FIFTH AVE. PORTLAND, OR 97204  ART UNIT 3723		1900	ART UNIT	PAPER NUMBER
		· <del></del>		

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		· ·	<i></i>		
	Application No.	Applicant(s)			
Advisory Action	10/763,469	HOUSE ET AL.			
Before the Filing of an Appeal Brief	Examiner	Art Unit			
	Hadi Shakeri	3723			
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress		
THE REPLY FILED <u>10 October 2005</u> FAILS TO PLACE THIS A	APPLICATION IN CONDITION FOR	R ALLOWANCE.			
1.  The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	wing replies: (1) an amendment, aff tice of Appeal (with appeal fee) in (	idavit, or other evider compliance with 37 Cl	ce, which FR 41.31; or (3)		
a) The period for reply expiresmonths from the mailing					
b) Mark The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to	ater than SIX MONTHS from the mailing	g date of the final rejection	on.		
Examiner Note: If box 1 is checked, check either box (a) or a TWO MONTHS OF THE FINAL REJECTION. See MPEP 7		FIRST REPLY WAS F	ILED WITHIN		
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing da	of the fee. The appropri inally set in the final Offi	ate extension fee ce action; or (2) as		
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).					
AMENDMENTS					
The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because  (a) They raise new issues that would require further consideration and/or search (see NOTE below);  (b) They raise the issue of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or					
(d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: (See 37 CFR 1.116 and 41.33(a)).					
4. The amendments are not in compliance with 37 CFR 1.15		mpliant Amendment (	PTOL-324).		
5. Applicant's reply has overcome the following rejection(s)	· · · · · · · · · · · · · · · · · · ·				
<ol> <li>Newly proposed or amended claim(s) would be all non-allowable claim(s).</li> </ol>	lowable if submitted in a separate,	timely filed amendme	nt canceling the		
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE		ll be entered and an e	xplanation of		
The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and					
was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary.  10. The affidavit or other evidence is entered. An explanation	vercome <u>all</u> rejections under appea y and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(1	ls to provide a ).		
REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:					
12. ☐ Note the attached Information Disclosure Statement(s). (13. ☐ Other:	(PTO/SB/08 or PTO-1449) Paper N	Hadi Shakeri Primary Examiner Art Unit: 3723	hl		